

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MICHAEL GEOFFREY PETERS	§	
v.	§	CIVIL ACTION NO. 6:18cv464
STATE OF TEXAS, ET AL.	§	

PARTIAL ORDER OF DISMISSAL AND TRANSFER

The above-entitled and numbered civil action was referred to United States Magistrate Judge K. Nicole Mitchell. The Report and Recommendation of the Magistrate Judge (Dkt. #19), which contains proposed findings of fact and recommendations for the disposition of the Plaintiff's claims against Defendants Dr. Irvin Zeithler, former Governor Rick Perry, the State of Texas, Cathy Busa, and Barbara Adamick, has been presented for consideration. No objections were filed. The court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is therefore

ORDERED that the Plaintiff's claims against Defendants Dr. Irvin Zeithler, former Governor Rick Perry, and the State of Texas are **DISMISSED** with prejudice as frivolous and for failure to state a claim upon which relief may be granted. It is further

ORDERED that the Plaintiff's claims against the Defendants Cathy Busa and Barbara Adamick are **SEVERED** from this lawsuit and **TRANSFERRED** to the United States District Court for the Southern District of Texas, Houston Division, for such other and further proceedings as that court may deem appropriate. The dismissal and transfer of these claims shall have no effect on the remaining claims and parties in this lawsuit.

SIGNED this the 27th day of September, 2019.

Richard A. Schell
RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE